



CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA

Street Closing Report



Meeting Date: December 15, 2014

Reference Name	Street Closing – A request to close 430.43 linear feet of Elder Street	Jurisdiction	City
Request	To close 430.43 linear feet of Elder Street.		
Applicant	Triangle Surveyors, Inc.	Submittal Date	May 12, 2014
Location	North of Elba Street, east of Elf Street		
Recommendation	Approve permanent closing of the public right-of-way.		

A. Summary

Ron Carpenter, of Triangle Land Surveyors, Inc., proposes to close a 430.43 linear foot segment of Elder Street. The right-of-way is currently open and the portion of the street requested for closure is bordered by property owned entirely by Duke University. If the request is approved, this portion of the right-of-way will be recombined with the adjacent properties owned by Duke University (Attachment 4).

Adjacent to the subject right-of-way are university related buildings owned by Duke. The applicant is requesting this street closure for future redevelopment purposes in this area.

B. Area Characteristics

The area surrounding the right-of-way is zoned University and College (UC), Commercial General (CG), and Office and Institutional (OI). The portion of this street requested for closure is located within the Duke Hospital Compact Neighborhood Tier. The subject site is located to the north of Elba Street and east of Elf Street.

Adjacent Land Uses and Zoning			
	Uses	Zoning Districts	Overlay Districts
North	University	UC	None
South	University	UC/CG	None
East	University	UC	None
West	University	UC/OI	None

C. Statutory Requirements

North Carolina Statute 160A-299 requires that the Governing Body make two findings prior to closing any street or alley. These are:

- 1) Closing the street or alley is not contrary to the public interest; and
- 2) No individual owning property in the vicinity of the street or alley or in which it is located would be deprived of reasonable means of ingress or egress to that property.

D. Code Requirements

Section 13.5.1 Access, of the Unified Development Ordinance requires that every buildable lot have access to a public or private street that is designed, constructed and maintained to the appropriate standards.

E. Service Impacts

This request was submitted to service agencies for review and comment. Their comments are shown below:

Service Agency Comments		
Service Agency	Comments	How Addressed
NCDOT	No impact	n/a
County - Engineering	No impact	n/a
County - Fire Marshall	No impact	n/a
Durham County Sherriff	No impact	n/a
Emergency Medical Services	No impact	n/a
911	No impact	n/a
Durham Public Schools	No impact	n/a
City - Transportation	No impact	n/a
City - Engineering	Easement Required	Easement Provided
City - Fire Department	No impact	n/a
City – Parks and Recreation	No impact	n/a
City – Solid Waste	No impact	n/a
City – Inspections	No impact	n/a
City – General Services	No impact	n/a
Police Department	No impact	n/a
Duke Energy	Easement Required	Easement Provided
PSNC	Easement Required	Easement Provided

Service Agency Comments		
Frontier	Easement Required	Easement Provided
Tax Assessor Office	No impact	n/a
Address Coordinator, GIS	No impact	n/a

F. Staff Analysis

The area adjacent to the right-of-way is zoned UC, CG, and OI and is located in the Duke Hospital Compact Neighborhood Tier. The proposed street closing plat (Attachment 4) indicates that the requested right-of-way will be recombined with the adjacent properties. Staff finds this portion of Elder Street to have little value to the public at-large and recommends approval of the street closing.

G. Recommendation

Approve the permanent closing of 430.43 linear feet of Elder Street.

H. Staff Contact

Jacob Wiggins, Planner, 919.560.4137 ext. 28257 jacob.wiggins@durhamnc.gov

I. Attachments

1. Context Map
2. Aerial Map
3. Street Closing Application
4. SC1400011 – Street Closing Plat Reduction
5. Street Closing Order